

REMARKS

Reconsideration of this application is respectfully requested.

Initially, Applicants would like to thank the Examiner for indicating the allowability of claim 17 if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

In the Final Office Action, the Examiner rejects claims 1, 3, 5, 7, 9, 11, 13, 15, 22 and 24 under 35 U.S.C. §103(a) as being allegedly unpatentable over U.S. Patent No. 5,270,262 to Switky et al. (hereinafter "Switky") in view of U.S. Patent No. 5,266,739 to Yamauchi (hereinafter "Yamauchi").

In the previous response, independent claim 1 was amended to recite that the rectangular-shaped resin wall has a first pair of opposing sides and a second pair of opposing sides, that the conductive member extended through one of the first pair of opposing sides of the resin wall and is retained by the resin wall, and the radiating plate extends outward of the second pair of opposing sides of the resin wall.

However, the Examiner, in the present action, states that Switky discloses this limitation. Specifically, the Examiner alleges that Switky discloses a rectangular shaped resin wall 15 (Fig. 5) with a first and second pair of opposing sides, a conductive member 13 extending through one of the first pair of opposing sides, and a radiating plate 14 extending outward of a second pair of opposing sides.

However, as can be seen clearly in Fig. 3C of Switky, if element 15 is considered the rectangular shaped resin wall having a first and second pair of opposing sides, it is evident that the conductive member 13 and the radiating plate 14 do not extend from different opposing sides of the rectangular shaped resin wall 15. Independent claim 1 clearly recites that the conductive

member extends through a first pair of opposing sides of the rectangular shaped resin wall, and that the radiating plate extends outward of the second pair of opposing sides of the rectangular shaped resin wall.

The additional cited reference of Yamauchi also fails to disclose this element recited in independent claim 1. Further, Yamauchi discloses, in Figs. 1-5, a resin housing 16 for surrounding a chip, with terminals 2 and 5. However, the terminals are connected to the resin wall such that the terminals are connected to a side face and an end face of the resin wall. The resin wall, however, is not connected to the radiating plate 1 in such a manner, as stated by the Examiner. Therefore, Yamauchi fails to disclose the limitations as recited in claim 1.

It has been held by the Courts that to establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Accordingly, the 35 U.S.C. §103(a) rejection of independent claim 1 is improper as Switky or Yamauchi, individually or in combination, fail to disclose the limitations of independent claim 1.

Accordingly, Applicants respectfully submit that the references cited by the Examiner, individually or in combination, fail to render the present invention obvious. Therefore, Applicants respectfully request that the 35 U.S.C. §103(a) rejection of claims 1, 3, 5, 7, 9, 11, 13, 15, 22 and 24 under Switky in view of Yamauchi be withdrawn. Further, Applicants respectfully request allowance of claims 1, 3, 5, 7, 9, 11, 13, 15, 17, 22 and 24.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' of Allowance issued.

attorney would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



Aasheesh V. Shravah
Registration No. 54,445

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

AVS:ng